

PROPOSED REVISIONS TO B-2 ZONING TEXT

L.M.C. Section 27.31.030 Permitted Uses

~~(z) Sale of alcoholic beverages for consumption on the premises, provided the locational requirements of Section 27.63.680 have been met or waived by the City Council;~~

~~(aa) Sale of alcoholic beverages for consumption off the premises, provided the locational requirements of Section 27.63.685 have been met or waived by the City Council;~~

L.M.C. Section 27.31.040 Permitted Conditional Uses

(f) Sale of alcoholic beverages for consumption on the premises:

(1) When the building containing the licensed premises abuts a residential district, the required yards shall be met; provided that the side yard adjacent to such building shall be 50 feet.

(2) Parking shall be in conformance with the provisions of Chapter 27.67; provided that no parking spaces shall be located in that portion of any required side yard or rear yard adjacent to the building containing the licensed premises that abuts a residential district.

(3) Any exterior door opening must meet the following conditions:

(a) Be located at least 100 feet (as measured by the shortest, most direct distance) from a day care facility, church, state mental health institution, dedicated city or county park land, or a residential district; provided that, if there is an intervening exterior wall of the building containing the licensed premises between the exterior door opening and such day care facility, church, state mental health institution, dedicated city or county park land, or residential district, then the 100 feet shall be measured from the exterior door opening, along the exterior base of the building wall(s) to the point where there is no intervening exterior building wall, and from that point the shortest, most direct distance to the day care facility, church, state mental health institution, dedicated city or county park land, or residential district.

(b) If the exterior door opening faces a residential district, then such opening shall be at least 150 feet from a residential district as measured by the shortest, most direct perpendicular distance. The exterior door shall not be kept or propped open during the hours of operation.

For purposes of this section, "exterior door opening" shall mean (i) that portion of the exterior wall face of the building containing the licensed premises that contains a break to accommodate the exterior building door, door frame, door vestibule or door entryway area and (ii) provides public or membership access to the licensed premises. "Exterior door opening" shall not apply to openings for emergency exit doors required by building or safety codes, loading doors or unloading doors that are not available for public or membership access in the ordinary course of business.

(4) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

(5) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

(6) Notwithstanding any contrary provision contained in 27.31.100(h), the yard requirements, parking location requirements and the exterior door opening location requirements in this section shall not be adjusted by the City Council.

(g) Sale of alcoholic beverages for consumption off the premises

(1) When the building containing the licensed premises abuts a residential district, the required yards shall be met: provided that the side yard adjacent to such building shall be 50 feet.

(2) Parking shall be in conformance with the provisions of Chapter 27.67: provided that no parking spaces shall be located in that portion of any required side yard or rear yard adjacent to the building containing the licensed premises that abuts a residential district.

(3) Any exterior door opening must meet the following conditions:

(a) Be located at least 100 feet (as measured by the shortest, most direct distance) from a day care facility, church, state mental health institution, dedicated city or county park land, or a residential district: provided that, if there is an intervening exterior wall of the building containing the licensed premises between the exterior door opening and such day care facility, church, state mental health institution, dedicated city or county park land, or residential district, then the 100 feet shall be measured from the exterior door opening, along the exterior base of the building wall(s) to the point where there is no intervening exterior building wall, and from that point the shortest, most direct distance to the day care

facility, church, state mental health institution, dedicated city or county park land, or residential district.

(b) If the exterior door opening faces a residential district, then such opening shall be at least 150 feet from a residential district as measured by the shortest, most direct perpendicular distance. The exterior door shall not be kept or propped open during the hours of operation.

For purposes of this section, "exterior door opening" shall mean (i) that portion of the exterior wall face of the building containing the licensed premises that contains a break to accommodate the exterior building door, door frame, door vestibule or door entryway area and (ii) provides public or membership access to the licensed premises. "Exterior door opening" shall not apply to openings for emergency exit doors required by building or safety codes, loading doors or unloading doors that are not available for public or membership access in the ordinary course of business.

(4) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

(5) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

(6) Notwithstanding any contrary provision contained in 27.31.100(h), the yard requirements, parking location requirements and the exterior door opening location requirements in this section shall not be adjusted by the City Council.

PROPOSED REVISIONS TO B-5 ZONING TEXT

L.M.C. Section 27.37.020 Permitted Uses

~~(16) Sale of alcoholic beverages for consumption on the premises, provided the locational requirements of Section 27.63.680 have been met or waived by the City Council;~~

~~(17) Sale of alcoholic beverages for consumption off the premises, provided the locational requirements of Section 27.63.685 have been met or waived by the City Council;~~

L.M.C. Section 27.37.025 Permitted Conditional Uses

(c) Sale of alcoholic beverages for consumption on the premises:

(1) When the building containing the licensed premises abuts a residential district, the required yards shall be met.

(2) Parking shall be in conformance with the provisions of Chapter 27.67; provided that no parking spaces shall be located in that portion of any required side yard or rear yard of the building containing the licensed premises that abuts a residential district.

(3) Any exterior door opening must meet the following conditions:

(a) Be located at least 100 feet (as measured by the shortest, most direct distance) from a day care facility, church, state mental health institution, dedicated city or county park land, or a residential district; provided that, if there is an intervening exterior wall of the building containing the licensed premises between the exterior door opening and such day care facility, church, state mental health institution, dedicated city or county park land, or residential district, then the 100 feet shall be measured from the exterior door opening, along the exterior base of the building wall(s) to the point where there is no intervening exterior building wall, and from that point the shortest, most direct distance to the day care facility, church, state mental health institution, dedicated city or county park land, or residential district. For purposes of this section, "park land" shall not include trails.

(b) If the exterior door opening faces a residential district, then such opening shall be at least 150 feet from a residential district as measured by the shortest, most direct perpendicular distance. The exterior door shall not be kept or propped open during the hours of operation.

For purposes of this section, "exterior door opening" shall mean (i) that portion of the exterior wall face of the building containing the licensed premises that contains a break to accommodate the exterior building door, door frame, door vestibule or door entryway area and (ii) provides public or membership access to the licensed premises. "Exterior door opening" shall not apply to openings for emergency exit doors required by building or safety codes, loading doors or unloading doors that are not available for public or membership access in the ordinary course of business.

(4) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

(5) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

(6) Notwithstanding any contrary provision contained in 27.37.070(i), the yard requirements, the parking location requirements and the exterior door opening location requirements in this section shall not be adjusted by the City Council.

(d) Sale of alcoholic beverages for consumption off the premises

(1) When the building containing the licensed premises abuts a residential district, the required yards shall be met.

(2) Parking shall be in conformance with the provisions of Chapter 27.67; provided that no parking spaces shall be located in that portion of any required side yard or rear yard of the building containing the licensed premises that abuts a residential district.

(3) Any exterior door opening must meet the following conditions:

(a) Be located at least 100 feet (as measured by the shortest, most direct distance) from a day care facility, church, state mental health institution, dedicated city or county park land, or a residential district; provided that, if there is an intervening exterior wall of the building containing the licensed premises between the exterior door opening and such day care facility, church, state mental health institution, dedicated city or county park land, or residential district, then the 100 feet shall be measured from the exterior door opening, along the exterior base of the building wall(s) to the point where there is no intervening exterior building wall, and from that point the shortest, most direct distance to the day care

facility, church, state mental health institution, dedicated city or county park land, or residential district. For purposes of this section, "park land" shall not include trails.

(b) If the exterior door opening faces a residential district, then such opening shall be at least 150 feet from a residential district as measured by the shortest, most direct perpendicular distance. The exterior door shall not be kept or propped open during the hours of operation.

For purposes of this section, "exterior door opening" shall mean (i) that portion of the exterior wall face of the building containing the licensed premises that contains a break to accommodate the exterior building door, door frame, door vestibule or door entryway area and (ii) provides public or membership access to the licensed premises. "Exterior door opening" shall not apply to openings for emergency exit doors required by building or safety codes, loading doors or unloading doors that are not available for public or membership access in the ordinary course of business.

(4) Vehicle stacking for a drive-through window used as any part of the permitted business operation shall not be located in any required building setback from a residential district.

(5) The use shall not have any amplified outside sound or noise source, including bells, buzzers, pagers, microphones, or speakers within 150 feet of any residential district. This shall not apply to sound sources audible only to the individual to whom they are directed, such as personal pagers, beepers, or telephones.

(6) Notwithstanding any contrary provision contained in 27.37.070(i), the yard requirements, the parking location requirements and the exterior door opening location requirements in this section shall not be adjusted by the City Council.